PART II—Section 2.

NOTIFICATIONS BY GOVERNMENT

CHIEF SECRETARIAT.

No. R. 4537—*L. S.* 13-29-4, *dated* 20*th December* 1929.

Under section 236 of the Mysore Land Revenue Code, Regulation No. IV of 1888, the Government of His Highness the Maharaja of Mysore are pleased to authorise the extension of the provisions of Chapters VIII to X of the said Code to the villages of Amuchavadi, Yachagowdanahalli and Dadadakallahalli in the Taluk of Mysore.

By Order,

N. MADHAVA RAO,

Chief Secretary to Government.

LAW SECRETARIAT.

No. Rel. 509—*R. A.* 35-29-1, *dated* 18—20*th December* 1929.

In exercise of the powers vested in them under Section 6 of the Mysore Representative Assembly Regulation, XVIII of 1923, the Government of His Highness the Maharaja are pleased to make the following rules, in supersession of the rules laid down in Notification No. P. 2400—Legis. 12-23-7, dated 7th November 1923, Rule 15 of the Rules issued with Notification No. 3255—Legis. 12-23-11, dated 19th December 1923, Rule 16 of the Rules issued with Notification No. P. 3584—Legis. 12-23-14, dated 5th January 1924, and Rule 9 of the Rules under the heading "Elections" issued with Notification No. P. 5923—Legis. 23-21, dated 10th January 1924, for the decision of disputes as to the validity of any election to the Representative Assembly:—

Election of a candidate to be invalid if corrupt practice is committed by the candidate or at his instance.

1. No election of a candidate shall be valid if any corrupt practice is committed in connection therewith by the candidate or at his instance.

Definition of corrupt practice.

2. A person, shall be deemed to have committed a corrupt practice.

(*i*) who, with a view to induce any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money or valuable consideration or holds out any promise of individual profit, or holds out any threat of injury to any person; or

(*ii*) who himself or through his agent or at his expense feeds or entertains his voters shortly before the poll, or pays the expenses of travel or hired conveyance, in order to induce them to give votes, in his favour; or

(*iii*) who gives, procures, or abets the giving of a vote in the name of a voter who is not the person giving such vote; or

(*iv*) who induces or attempts to induce a candidate or voter to believe that he or any person in whom he is interested will become or will be rendered any object of divine displeasure or of spiritual censure.

EXPLANATION.—

(*a*) A corrupt practice shall be deemed to have been committed by a candidate if it has been committed with his knowledge or consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

(*b*) The expression "a promise of individual profit" includes a promise for the benefit of the person himself or of any one in whom he is interested.

Election petition by whom, to whom and when to be presented.

3. Any person who was a candidate at the election or not less than ten voters may, within one week after the day on which the result of the election was declared, contest the election of a candidate on the

ground of corrupt practice or on the ground of any illegality or material irregularity, by presenting in writing a petition to the authority mentioned below :—

Legal interests.	District Judge, Bangalore.
Mysore University.	District Judge, Mysore.

District Judge of the division in which the person against whose election objection is taken resides.

Constituency consisting of more than one association.

Any other constituency. District Judge of the division in which the election took place.

Provided that on sufficient cause being shown, the limit of one week prescribed by this rule will be extended by the District Judge.

Contents of the Election petition.

4. (1) The petition shall specify the acts which the objector or objectors allege as amounting to corrupt practice, illegality or material irregularity and affecting the result of the election and which he or they are prepared to substantiate and set forth full particulars of such corrupt practice including as full a statement as possible of the names of the persons alleged to have committed it and the date and place of the commission of the same.

(2) The petition shall be signed and verified in the manner prescribed for the verification of pleadings in the Code of Civil Procedure.

Petition to be accompanied by deposit.

5. Every petition shall be accompanied by a deposit of Rs. 100 (one hundred) as security towards all costs, which may become payable by the petitioner or petitioners.

Petition to be posted for hearing.

6. The petition shall be posted for hearing and notice thereof shall be given to the candidate whose election has been objected to.

Enquiry by Judge.

7. (1) The District Judge may, after summary inquiry, pass an order confirming or amending the declared result of the election or setting aside the election. For the purpose of the said inquiry, the District Judge may summon or enforce the attendance of witnesses and compel them to give evidence and he may also direct, by whom the whole or any part of the costs of any such inquiry shall be paid. If the costs are to be paid by the petitioner or petitioners, such portion, if any, of the costs as is in excess of the sum of Rs. 100 paid at the time of the presentation of the petition, shall be recoverable as if it had been awarded in a suit under the Code of Civil Procedure. The procedure prescribed in the Code of Civil Procedure shall, as far as possible, be followed in such inquiries.

(2) (*a*) The District Judge, if he is satisfied that a candidate has within the meaning of Rule 2 committed any corrupt practice for the purpose of the election, shall set aside the election of such candidate if he has been elected.

(*b*) If in any case to which clause (a) does not apply the validity of the election is in dispute between two or more candidates, the District Judge shall, after scrutiny and computation of the votes recorded in favour of each such candidate, declare the candidate who has secured the largest number of votes to have been duly elected : Provided that for the purpose of such computation, no vote shall be reckoned as valid if the District Judge finds that any corrupt practice was committed by any person known or unknown in giving or obtaining it.

(3) If the validity of the election is questioned or disputed only on the ground of an error by the officer or officers charged with carrying out the rules relating to the conduct of elections or of an irregularity or informality not corruptly caused, the District Judge shall not set aside that election.

EXPLANATION.

The expression 'error' in this sub-rule does not include any breach of or any omission to carry out or any non-compliance with the provisions of the rules whereby the result of election has been materially affected.

(4) If the District Judge sets aside the election, necessary steps shall be taken for holding a fresh election.

(5) An appeal shall lie to the Chief Court from the order of the District Judge only on a point of law.

(6) An appeal under sub-rule (5) shall be preferred within 15 days from the date of such order exclusive of the time required for obtaining a copy of the order.

No. Rel. 510—*L. C.* 8-29-1, *dated* 18—20*th December* 1929.

In exercise of the powers vested in them under sections 6 of the Mysore Legislative Council Regulation, XIX of 1923, the Government of His Highness the Maharaja are pleased to make the following rules in supersession of the rules laid down in Notification No. P. 2407—Legis. 13-23-7, dated 7th November 1923, Rule 16 of the rules issued with

Notification No. P. 3539—Legis. 13-23-11, dated 2nd January1924, and Rule 10 of the rules issued with Notification No. Rel. 320—R. A. 15-26-7, dated 11th November 1926, for the decision of disputes as to the validity of any election to the Legislative Council :—

1. No election of a candidate shall be valid if any corrupt practice is committed in connection therewith by the candidate or at his instance.

Election of a candidate to be invalid if corrupt practice is committed by the candidate or at his instance.

2. A person, shall be deemed to have committed a corrupt practice—

Definition of corrupt practice.

(i) who, with a view to induce any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money or valuable consideration or holds out any promise of individual profit, or holds out any threat of injury to any person; or

(ii) who himself or through his agent or at his expense feeds or entertains his voters shortly before the poll, or pays the expenses of travel or hired conveyance, in order to induce them to give votes in his favour; or

(iii) who gives, procures, or abets the giving of, a vote in the name of a voter who is not the person giving such vote; or

(iv) who induces or attempts to induce a candidate or voter to believe that he or any person in whom he is interested will become or will be rendered an object of divine displeasure or of spiritual censure.

EXPLANATIONS.

(*a*) A corrupt practice shall be deemed to have been committed by a candidate if it has been committed with his knowledge or consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

(*b*) The expression "a promise of individual profit" includes a promise for the benefit of the person himself or of any one in whom he is interested.

3. Any person who was a candidate at the election or not less than ten voters may, within one week after the day on which the result of the election was declared, contest the election of a candidate on the ground or corrupt practice or on the ground of any illegality or material irregularity, by presenting in writing a petition to the District Judge having jurisdiction over the area in which the election has been or should have been held :—

Election petition by whom, to whom and when to be presented.

Provided that in the case of the planting constituency, the petition shall be presented to the District Judge having jurisdiction over the area in which the candidate whose election is disputed, resides :

Provided also that, on sufficient cause being shown, the limit of one week prescribed by this rule may be extended by the District Judge.

4. (1) The petition shall specify the acts which the objector or objectors allege as amounting to corrupt practice, illegality or material irregularity and affecting the result of the election and which he or they are prepared to substantiate and set forth full particulars of such corrupt practice including as full a statement as possible of the names of the persons alleged to have committed it and the date and place of the commission of the same.

Contents of the election petition.

(2) The petition shall be signed and verified in the manner prescribed for the verification of pleadings in the Code of Civil Procedure.

5. Every petition shall be accompanied by a deposit of Rs. 100 (one hundred) as security towards all costs, which may become payable by the petitioner or petitioners.

Petition to be accompanied by deposit.

6. The petition shall be posted for hearing and notice thereof shall be given to the candidate whose election has been objected to.

Petition to be posted for hearing.

7. (1) The District Judge may, after inquiry, pass an order confirming or amending the declared result of the election or setting aside the election. For the purpose of the said inquiry, the District Judge, may summon or enforce the attendance of witnesses and compel them to give evidence and he may also direct by whom the whole or any part of the costs of any such inquiry shall be paid. If the costs are to be paid by the candidate whose election is contested, the whole of such costs and if the costs are to be paid by the petitioner or petitioners, such portion if any, of the costs as is in excess of the sum of Rs. 100 paid at the time of the presentation of the petition, shall be recoverable as if it had been awarded in a suit under the Code of Civil Procedure. The procedure prescribed in the Code of Civil Procedure shall, as far as possible, be followed in such inquiries.

Inquiry by District Judge.

(2) (*a*) The District Judge, if he is satisfied that a candidate has within the meaning of Rule 2 committed any corrupt practice for the purpose of the election, shall set aside the election of such candidate if he has been elected.

(*b*) If in any case to which clause (*a*) does not apply the validity of the election is in dispute between two or more candidates, the District Judge shall, after scrutiny and computation of the votes recorded in favour of each such candidate, declare the candidate who has secured the largest number of votes to have been duly elected: Provided that for the purpose of such computation no vote shall be reckoned as valid if the District Judge finds that any corrupt pratice was committed by any person known or unknown in giving or obtaining it.

(3) If the validity of the election is questioned or disputed only on the ground of an error by the officer or officers charged with carrying out the rules relating to the conduct of elections or of an irregularity or informality not corruptly caused, the District Judge shall not set aside the election.

EXPLANATION.—

The expression "error" in this sub-rule does not include any breach of, or any omission to carry out, or any non-compliance with, the provisions of the rules whereby the result of the election has been materially affected.

(4) If the District Judge sets aside the election, necessary steps shall be taken for holding a fresh election.

(5) An appeal shall lie to the Chief Court from the order of the District Judge only on a point of law.

(6) An appeal under sub-rule (5) shall be preferred within 15 days from the date of such order exclusive of the time required for obtaining a copy of the order.

No. Rel. 516—*L. C.* 9-29-2, *dated* 18*th*—23*rd December* 1929.

In exercise of the powers vested in them under section 6 of the Mysore Legislative Council Regulation XIX of 1923, the Government of His Highness the Maharaja of Mysore are pleased to direct that for Rule 6 of the Rules laid down in Notification No. P. 4347—Legis. 13-23-22, dated 5th February 1924, for the conduct of business and procedure to be followed in the Council, the following rules shall be substituted:—

"6. When Government propose to introduce a measure of legislation in the Legislative Council, the general principles underlying it shall be placed by Government before the Representative Assembly as provided for in section 9 of the Representative Assembly Regulation, and after its opinion is ascertained the Government may decide either to introduce a Bill, embodying the proposed measure of legislation or to introduce a modified Bill in view of the discussions in the Assembly or to drop the measure altogether. If it is proposed to introduce a Bill as above, the official member in charge of the measure shall obtain the permission of the Dewan in writing to move for leave to introduce the Bill in the Legislative Council, and if such permission is granted, he may move for the leave of the Council to introduce the Bill, after giving 15 days' previous notice of the title and subject of the Bill to the Secretary.

"6A. If a non-official member wishes to introduce a Bill in the Legislative Council he shall submit to the Secretary a draft of the Bill, a statement of the general principles underlying it, and a statement of the objects and reasons thereof, and other connected papers, if any, and ask for the permission of the Dewan to its introduction. If the Dewan agrees to the introduction of the Bill, the principles underlying it and the Bill with the statement of objects and reasons as submitted by the member shall be placed by Government before the Representative Assembly at a meeting of that House. The views of the Assembly on the measure shall be communicated by the Secretary to the member concerned. The member may then either ask the leave of the Council to introduce the Bill after giving 15 days, previous notice or may abandon it, or request again the leave of the Dewan for introducing it in a modified form in view of the opinion of the Assembly. It will be open to the Government to present the modified Bill again to the Rapresentative Assembly, if Government consider it necessary, and in that case the opinion of the Assembly shall again be communicated to the member. If the Dewan's permission is granted and if the member desires to move for the leave of the Council to introduce the Bill, he may do so, after giving 15 days' previous notice of the title and subject of the Bill to the Secretary."

No. Rel. 511—*L. C.* 9-29-1, *dated* 18—20*th December* 1929.

In exercise of the powers vested in them under section 6 of the Mysore Legislative Council Regulation XIX of 1923, the Government of His Highness the Maharaja are pleased to direct that the following be added as Rule 1-A in Part II of the Rules laid down in Notification No. P. 4347—Legis. 13-23-12, dated 5th February 1924 for the conduct of business and procedure to be followed in the Council:—

"1. A. The Dewan, after considering the state of business of the Council shall allot so many days as may, in his opinion, be possible, compatibly with the public

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interests, for the business of non-official members and may allot different days for the disposal of different classes of such business, and on days so allotted for any particular class of business, business of that class shall have precedence. On other days, no business shall be transacted except with the consent of the Dewan."

No. Rel. 512—*L. C.* 10-29-1, *dated* 20*th December* 1929.

It is hereby notified that the following members of the Legislative Council who secured the largest number of votes at the Election held on Wednesday the 18th December 1929 for the purpose of electing four members of the Council to the Committee on Public Accounts for the year 1929-30, have been declared duly elected.

Mr. H. B. Gundappa Gowda, B.A., B.L.
Mr. G. Channappa, B.A., LL.B.
Mr. D S. Mallappa.
Mr. D. H. Chandrasekharaiya, B.A., LL.B.

No. P. 3308—*Legis.* 13-29-42, *dated* 21*st*—23*rd December* 1999.

In exercise of the powers conferred by section 11 of the Mysore Motor Vehicles Regulation 1928, Government are pleased to issue the following further amendment to the Mysore Motor Vehicles Rules published with Notification No. P. 3015—Legis. 21-22-10, dated 4th December 1924:—

Amendment.

The following paragraph shall be added to Sub-Rule 2 (a) of Rule 30:—

"The fee herein prescribed may be paid in two equal instalments, the first instalment at the time of issue of the permit and the second before the expiry of the first six months of the period of its currency. If the second instalment is not so paid, the permit shall be suspended. No such order of suspension shall be withdrawn unless and until the outstanding instalment is paid in full without any deduction for the period of suspension."

No. P. 3319—*Legis.* 64-29-1, *dated* 23*rd December* 1929.

Under the explanation to section 25 of the Negotiable Instruments Regulation, 1917 the Government of His Highness the Maharaja are pleased to declare that in addition to the Public Holidays expressly defined as such in the said explanation, namely Sundays, New Year's Day (Wednesday the 1st January), Good Friday (18th April) and Christmas Day (Thursday 25th December), the following days shallbe Public Holidays in the year 1930:—

Tuesday, the 14th January	...	Pongal
Wednesday, the 26th February	...	Mahasivarathri
Monday, the 3rd March	...	Ramzan
Monday, the 31st March	...	Telugu New Years, Day
Saturday, the 19th April	...	Easter
Monday, the 21st April	...	Easter
Saturday, the 10th May	...	Bakrid
*June	...	King-Emperor's Birthday
Saturday, the 7th June	...	H. H. the Maharaja's Birthday
Thursday, the 7th August	...	Birthday of Mahomed
Saturday, the 9th do	...	Upakarma
Wednesday, the 27th August	...	Vinayaka Chathurthi
Monday, the 22nd September	...	Mahalaya Amavasai
Monday, the 29th do	...	Saraswati Avahana
Wednesday, the 1st October	...	Ayudha Puja
Thursday, the 2nd do	...	Vijayadasami
Monday, the 20th do	...	Deepavali
Wednesday, the 22nd do	...	Balipadyami
Friday, the 26th December	...	Christmas
Saturday, the 27th do	...	Christmas
Tuesday, the 30th do	...	Christmas
Wednesday, the 31st do	...	Christmas

*This day will be notified in due course.

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No. P. 3312—*Cts.* 13-29-43, *dated* 21*st*—23*rd December* 1929.

In exercise of the powers conferred by section 11 of the Mysore Motor Vehicles Regulation, 1928, Government are pleased to issue the following further amendment to the Mysore Motor Vehicles Rules published with Notification No. P. 3015—Legis. 21-22-10, dated 4th December 1924:—

Amendment.

In condition 7 in the schedule to the Permit in Form "H" for the words 'fails to report such extra journey and make the necessary payment therefor' the words 'fails to obtain such permission' shall be substituted.

By Order,
P. MAHADEVAYYA,
Secretary to Government,
Law Department.

GENERAL SECRETARIAT.

No. 2685—*P. P.* 11-29-7, *dated* 23*rd*—24*th December* 1929.

Whereas by the Notification of the Government of India in the Foreign Department No. 176, dated 31st December 1875, the Indian Christian Marriage Act, 1872, was, with certain modifications, declared to apply to the territories of Mysore so far as regards marriages between persons one of whom is a Christian subject of Mysore and neither of whom is a Christian British subject.

In exercise of the powers conferred by section 9 of the said Act, the Government of His Highness the Maharaja of Mysore are pleased to grant license to Pastor George Stone, Robertsonpet, Kolar Gold Fields, to grant certificates of marriage within the territories of Mysore and outside the Civil and Military Station, Bangalore, between Indian Christians.

By Order,
R. RANGA RAO,
General Secretary to Government.